

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Annual Assessment of the Status of)	MB Docket No. 12-203
Competition in the Market for the)	
Delivery of Video Programming)	

**COMMENTS OF
THE CITY OF BATTLE CREEK, MICHIGAN**

The City of Battle Creek, Michigan submits these comments in response to the above-captioned Notice of Inquiry (“NOI”), released July 20, 2012, seeking “data, information, and comment on the state of competition in the delivery of video programming.”

The City of Battle Creek has had a local franchise agreement with the local cable company since 1988, which was renewed in 2005 and expires in 2020. This agreement provides the City with use of 3 PEG access channels. The City assisted in creating a nonprofit to provide services, equipment and training to our citizens.

1. **Currently there are two MVPD systems in our community. Comcast provides 3 active PEG channels. The other MVPD is AT&T, but they currently do not carry our PEG channels.**
2. **Currently Comcast carries these 3 channels on both the lower & upper tiers. Additional equipment is needed to view on both tiers. A customer would need a DTA box for the lower tier and a Digital Cable box for the upper tier.**

3. **Battle Creek has had 3 PEG channels since 1989. This number did not go up or down since June 2010.**
4. **To our knowledge, there are no data sources, which exist to track the availability of PEG programming. Our PEG access facility tracks their own programming and provides us with an annual report each year as to the number of local programming hours.**
5. **AT&T is in our community, but currently our PEG channels are not being transmitted due to AT&T's unwillingness to treat the PEG channels as a real channel, but rather an IP signal that is three steps deep on the application. AT&T also wants to charge our PEG facility \$500 per channel, per month to deliver the channels on their system. Our cable provider has never charged for delivery of these channels.**
6. **The nonprofit PEG access facility we contract our services with is AccessVision. This past year, AccessVision aired nearly 1,100 "first-run" programs, totaling 3,300 hours of airtime on two of the three channels. The third channel, located in our police department, airs our local weather radar 24-hours a day, 7-days a week. Three other local municipalities share programming on two of these three channels.**

AccessVision covers all four municipality regular meetings and planning meetings throughout the year and airs them for our citizens. In addition to the government meetings, AccessVision covers a game of the week from each of our four high schools; the Annual Christmas Parade; the Battle Creek Community Foundation Annual Meeting; two High School Graduations; numerous programs for the local

hospital; specials by the Binder Park Zoo and assists the local Chamber of Commerce and our Industrial Park with a monthly program.

In addition, these channels air programs created by local citizens. One such program is a weekly, “live” informational program with topics ranging from health related tips to interviews with local political candidates. Twenty-six local churches air their services weekly. Other citizen created programs range from local environmentalist, to arts and culture events in our community.

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